

FINETTA NALLE.

JUNE 22, 1898.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. JENKINS, from the Committee on the District of Columbia, submitted the following

REPORT.

[To accompany S. 3144.]

The Committee on the District of Columbia, to whom was referred Senate bill 3144, an act for the relief of Finetta Nalle, after consideration of the subject, report the same back to the House with the recommendation that it do pass.

Your committee have very carefully examined the parties in interest and documentary evidence, and have also carefully considered a report made by the Senate Committee on the District of Columbia in regard to the same matter. This bill has passed the Senate, and, finding the facts to have been correctly stated in the Senate report referred to, your committee recite the facts herein as contained in the Senate report:

The facts in the case are as follows: Something more than thirty years ago one Thomas A. Gant acquired title to lots 2, 3, 4, and from 15 to 24, both inclusive, in square No. 1107, in the city of Washington, District of Columbia. He at once entered into possession of the property, erected thereon the necessary buildings for a brickyard, and continuously thereafter operated such yard on these premises and adjacent lots until his death, which occurred in 1896. It appears that Gant was always prompt in the payment of his taxes and was a good citizen. He died intestate, leaving one child, a daughter, Mrs. Finetta Nalle. Gant was a colored man. His parents were never married, and he himself never married, therefore but for the action contemplated in the present bill his property would escheat to the United States. It appears from the evidence submitted to the committee that it was Gant's intention to provide for his daughter by will and this intention was frustrated by his sudden death. The property has since his death been in possession of Mrs. Nalle, who has paid taxes thereon and is in receipt of the rents therefrom.

The bill was submitted to the Attorney-General, who states that—

as a result of an investigation that he caused to be made of the condition of the title to lots 2, 3, 4, and 15 to 24, both inclusive, in square No. 1107, in the city of Washington, being the lots referred to, it appears that Thomas A. Gant died in this city on August 14, 1896; that at the time of his death the title to all the said lots, except Nos. 15 and 16, was vested in him regularly through a chain of conveyances from the original source, and that he claimed said lots 15 and 16 through a sale of them by the late corporation of the city of Washington for delinquent taxes, and a tax deed for them issued to Samuel H. Platt, in 1852, and by adverse possession. It further appears that the only interest the United States can have in the lots is a title by escheat, supposed to have accrued by reason of the death of said Gant, leav-

ing no one to whom the lots could pass by inheritance under the statute of descents, this condition being the result of the illegitimacy of Gant himself and of the illegitimacy of Mrs. Nalle, his daughter and only child.

It is contended by W. Mosby Williams that there are claimants for lots 15 and 16 in square No. 1107, and the committee have therefore amended the bill so that the United States shall quitclaim to Finetta Nalle and her heirs and assigns all right, title, interest, and estate that the United States may have to these lots, leaving the conflicting claims to lots 15 and 16 to be settled by the courts.

It appears from the affidavits given below, by persons thoroughly acquainted with the late Thomas A. Gant that Mrs. Finetta Nalle was always regarded by him as his only living relative. He supported and cared for her until her marriage, when she went to housekeeping, and thereafter he made his home with her. He said a number of times that all the property he had accumulated he intended to leave to his daughter and to her children. It appears that shortly prior to his death he was anxious to clear his property of all indebtedness so that he might make a will in favor of his daughter, Mrs. Nalle, as she was the only person who could have any claim upon him. His sudden death seems to be the only reason why he died intestate.

Mrs. Nalle makes affidavit that Mr. Gant always treated her with great affection as his daughter and only child; that she lived with him until her marriage, when he came to her husband's house to reside, and remained there until he died; that as long as he lived he recognized and treated her as his only child, and frequently declared to her that she should have all his property; further, that the whole tract of land has been continuously used and occupied by the usual buildings, kilns, and machinery necessary for making brick; that the whole of the property has been inclosed by a substantial fence continuously maintained, and that the property has always been thus held and occupied, by Gant during his lifetime, and afterwards by herself.

Obviously the only interest the United States can have in such a matter is to see that so far as the Government is concerned the title to the lots passes to the person who has an equitable title to the same, and this person appears conclusively to be Mrs. Nalle.

The reports and papers in the case are given below.

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,

Washington, March 4, 1898.

SIR: The Commissioners have the honor to make the following report on Senate bill No. 3144 "for the relief of Finetta Nalle," which was referred to them at your instance for their views thereon.

The Commissioners are aware of no objection to the bill, if it should be amended by adding, after the word "simple" in the tenth line thereof, the words: "*Provided, That all taxes and assessments due the District of Columbia levied against said lots are paid;*" but as, in their judgment, the examination of this and other cases where the interests of the United States in property in the District of Columbia are in any way involved can be most satisfactorily conducted in the office of the United States attorney for the District of Columbia, they take the liberty to suggest that such cases be referred to the Attorney-General for the United States district attorney's report.

A copy of the opinion of the attorney for the District of Columbia on the subject of the bill, and a copy of a letter from John Ridout, esq., who represents the proposed beneficiary, are herewith transmitted.

Very respectfully,

JOHN W. ROSS,

President Board of Commissioners District of Columbia.

Senator JAMES McMILLAN,

*Chairman Committee on the District of Columbia,
United States Senate, Washington, D. C.*

OFFICE OF THE ATTORNEY FOR THE DISTRICT OF COLUMBIA,
Washington, D. C., February 21, 1898.

GENTLEMEN: I have examined the bill (S. 3144, Fifty-fifth Congress, first session) for the relief of Finetta Nalle, which, with a report thereon by the assessor, you referred to me for opinion.

John Ridout, esq., who is interested in this bill, has written to me on the subject, and I inclose to you herewith his letter.

Assuming the condition of things referred to by Mr. Ridout to exist, and I have no doubt they do, the proposed legislation would seem to be necessary to prevent escheat. The bill (which is herewith returned) is in good form, and if all taxes and assessments due the District against the property are paid I see no reason why the Commissioners should not report it favorably to Congress.

Very respectfully,

S. T. THOMAS,
Attorney District of Columbia.

Honorable COMMISSIONERS, etc.

DEPARTMENT OF JUSTICE,
Washington, D. C., March 9, 1898.

SIR: In compliance with your request for information concerning the title to certain lots in square numbered 1107 in the city of Washington, D. C., which are mentioned in Senate bill No. 3144, second session Fifty-fifth Congress, "for the relief of Finetta Nalle," I have the honor to transmit to you herewith a copy of a letter received from the United States attorney for the District of Columbia dated the 7th instant, together with the report of Assistant United States Attorney Taggart, therein referred to, giving the result of an examination of the title to said lots made under instructions of this Department, and showing the present condition of such title. It thereby appears that the only interest the United States can have in said lots is a right thereto by escheat, which is supposed to have accrued on the death of the late owner thereof, Thomas A. Gant, who left no one to whom the lots could pass by inheritance, this condition being the result, as is claimed, of the illegitimacy of Gant himself and also of the said Finetta Nalle, his alleged daughter and only child.

I am, sir, very respectfully,

J. K. RICHARDS,
Acting Attorney-General.

Hon. JAMES McMILLAN,
Chairman of Senate Committee on the District of Columbia.

WASHINGTON, D. C., March 7, 1898.

SIR: I have the honor to state that, in accordance with the directions contained in your letter to me of the 5th ultimo, I have caused an investigation to be made of the condition of the title to lots 2, 3, and 4, and 15 to 24, both inclusive, in square No. 1107, in this city, being the lots referred to in Senate bill No. 3144, Fifty-fifth Congress, second session, for the relief of Finetta Nalle.

The condition of the title to said lots is shown in a report made to me by my assistant, Mr. Taggart, which is inclosed herewith.

From this report it appears that Thomas A. Gant died in this city on August 14, 1896; that at the time of his death the title to all of said lots, except Nos. 15 and 16 was vested in him regularly through a chain of conveyances from the original source, and that he claimed said lots 15 and 16 through a sale made of them by the late corporation of the city of Washington for delinquent taxes and a tax deed for them issued to Samuel H. Platt in 1852, and by adverse possession. It further appears that the only interest the United States can have in the lots is a title by escheat, supposed to have accrued by reason of the death of said Gant, leaving no one to whom the lots could pass by inheritance under the statute of descents; this condition being the result, as is claimed, of the illegitimacy of Gant himself and of the illegitimacy of Mrs. Nalle, his daughter and only child.

Very respectfully,

HENRY E. DAVIS,
United States Attorney, District of Columbia.

The ATTORNEY-GENERAL.

WASHINGTON, D. C., March 7, 1898.

SIR: I beg leave to state that in accordance with your instructions in the premises, I have made an examination of the title to the lots Nos. 2 to 4, both inclusive, and 15 to 24, both inclusive, in square 1107, in this city, with a view to determining what, if any, interest the United States now has in the property.

They are the lots referred to in Senate bill No. 3144, Fifty-fifth Congress, second session, which, if enacted into a law, would operate as a legislative grant in fee to Finetta Nalle of "all right, title, interest, and estate of the United States" in and to the same.

The pertinent facts bearing upon the question of title, as gleaned from the public records or otherwise ascertained in the course of the examination, are contained in the following summary:

By the act of Congress approved July 16, 1790, entitled "An act for establishing the temporary and permanent seat of the Government of the United States," provision was made for its location on the River Potomac and for the appointment of commissioners, whose duty it was made, under the direction of the President, to make necessary surveys and to erect suitable buildings prior to December, 1800, for the public offices, for which purpose they were authorized to accept grants of money, etc.; and with few exceptions all the proprietors of the lands which were included within the limits of the city of Washington entered into a preliminary agreement with the President in regard to the establishment of a "Federal city" upon them, and in pursuance of this agreement executed deeds of conveyance to Thomas Beall and John Mackall Gantt, upon certain trusts, by the terms of which it was, among other things, provided that the President of the United States should cause such city to be laid out upon said lands and with such streets, squares, parcels, and lots as he might deem proper, and that all of the streets and such of the squares, parcels, and lots as he might select for public purposes should be "for the use of the United States forever."

The trusts further provided that "as to the residue of the lots"—that is, the lots available for private buildings, into which the lands should be laid off and divided—a fair and equal division of them should be made between the original proprietors of the lands and the commissioners appointed under the above-mentioned act of Congress.

By an act of the general assembly of Maryland (which then still had legislative jurisdiction), passed December 19, 1791, entitled "An act concerning the Territory of Columbia and the City of Washington," the lands in the city not conveyed as above and belonging to minors, persons absent from the State, persons non compos mentis, etc., were subjected to the same trusts.

President Washington, by virtue of the authority thus conferred upon him, caused a plan to be prepared, and the work of carrying the trusts into effect was proceeded with under his direction by commissioners appointed under said act of Congress.

As the squares were located and subdivided into lots, divisions of the lots were had from time to time between the commissioners and the original proprietor of the land within which they fell; these divisions are regarded as a source back of which it is not necessary to go in tracing the record title to lots in the city.

The deed to said trustees, Beall and Gantt, from Abraham Young, upon whose land square 1107 was laid out, is dated June 3, 1791. The square was laid out in 24 lots, numbered from 1 to 24; on the division of them between said Young and the commissioners, which took place September 30, 1796, lots 1 to 4, both inclusive, and 17 to 24, both inclusive, became the property of the United States, and the remaining lots, including lots 2, 15, and 16, became the property of said Young, and titles must be traced from them accordingly.

Lots 2 to 4, and 17 to 24.

One of the purposes contemplated by the proprietors in the gift to the United States of one-half of all the lots available for private buildings was to enable the commissioners to obtain by the sale of them a fund applicable to the construction of public buildings for the accommodation of the Government offices upon their removal to the permanent seat.

The commissioners on September 23, 1793, entered into an agreement with James Greenleaf for the sale to him of 3,000 of the public lots. This agreement was merged in another dated December 24, 1793, by which the commissioners contracted for the sale to said Greenleaf and to Robert Morris jointly of 6,000 lots, upon certain terms as to the erection of buildings, etc. Certificates in fee (the equivalent of deeds) were issued by the commissioners to said Greenleaf for several thousands of lots, resting in one instance to the extent of 1,000 lots upon the personal credit of Greenleaf and of Robert Morris and John Nicholson, who had been associated with him by Greenleaf in his speculative purchases of lots and building enterprises. In another instance a certificate was given to Greenleaf by the commissioners for 1,000 public lots, which, although upon its face a grant in fee, had in reality been executed under an agreement between them, merely for the purpose of enabling Greenleaf to include them in a mortgage to secure a loan to be negotiated by him in Amsterdam, of which loan the commissioners were to have one-third, and upon the repayment

of which the lots were to be reconveyed to them. Greenleaf also bought largely of lots from certain of the original proprietors. Finally he and his associates became insolvent and their affairs so much involved that resort was had to litigation, to which, among others affected, the commissioners and the superintendent of the city, who succeeded to their powers and duties, were parties.

One of these suits was that of Mordecai Lewis's executors and Edward Burd against Thomas Monroe, as superintendent of the city. In this cause a decree was passed by the Maryland court of chancery on October 9, 1806, under which John Kilty and Josias W. King sold numerous lots and squares, many of which were purchased on the account and for the use of the United States, and among them were the lots 1 to 4, both inclusive, and 17 to 24, both inclusive, in said square 1107.

The lots so purchased were conveyed by Kilty and King, the trustees, to Thomas Monroe, superintendent, "for the use of the United States," by deed dated August 5, 1809.

Thus the title to all the public lots originally owned by the United States in the square was restored to them on the records, but was again parted with as to those of them which are the subject of this inquiry.

The superintendent of the city was succeeded, under the legislation of Congress, by a commissioner of public buildings, and after advertisement in the National Intelligencer said lots 2 to 4 and 17 to 24 were sold at public auction on November 8, 1852, by William Easby, who was then such commissioner.

At this sale lot 2 was sold to Robert B. Clokey. He paid the purchase money, and a deed was issued to him for the lot November 10, 1852.

Lots 3 and 4 and 17 to 24, both inclusive, were sold to William H. Phillip at this sale, who paid the purchase money. A deed was issued to him for the lots November 10, 1852.

Lot 2 remained in the family of Clokey until January 31, 1884, when, upon a partition among his heirs, it went to Susan R. Clokey.

Susan R. Clokey conveyed it to Thomas A. Gant by deed dated April 3, 1886.

William H. Phillip conveyed to Thomas Lumpkin and John E. Gowan said lots 3 and 4 and 17 to 24 by deed dated October 19, 1853.

The records subsequent to the date last mentioned show sundry deeds through which the title to said lots 3 and 4 and 17 to 24 seems to have regularly passed to John J. Sullivan, who, by deed, dated July 7, 1871, conveyed to Thomas A. Gant.

Gant, by deed dated May 13, 1876, conveyed said lots to James Jones and Joseph H. Thomas.

Jones and Thomas executed a deed of trust dated May 24, 1876, by which they conveyed the lots to Thomas J. Middleton in trust to secure a debt to Gant.

Middleton sold under the trust, and conveyed the property back to Gant by deed dated May 10, 1878.

Lots 15 and 16.

These lots became the property of Abraham Young upon the division between him and the commissioners as above stated, and being private property were listed for taxation by the late corporation of the city of Washington.

Default having been made in the payment of taxes levied upon them, they were sold and conveyed by the corporation to Samuel H. Platt by deed dated February 26, 1852.

Platt conveyed, them to James Jones by deed dated December 20, 1866.

Gant conveyed, on May 13, 1876, lots 3 and 4 and 17 to 24 to James Jones and Joseph H. Thomas, and the latter executed the deed of trust to Thomas J. Middleton to secure Gant, as above stated, in which the lots 15 and 16 were included with the lots 3 and 4 and 17 to 24. When Middleton, under the trust, executed the deed to Gant of May 10, 1878, above noted, the tax title to said lots 15 and 16 became vested in said Gant.

There are a number of deeds of trust and releases of the same of record, to which it is unnecessary to refer.

Gant, on April 20, 1896, filed a bill in equity, No. 17317, against Herod Osborne and others. In this bill he claimed title by adverse possession to said lots 15 and 16, and prayed for a decree establishing it as against the defendants, in whom the record title was vested.

The death of Gant was suggested October 27, 1896, and on November 4, 1897, the bill was dismissed for want of prosecution.

There is no will of Thomas A. Gant on record; administration of his personal estate was granted on August 28, 1896, to Finetta Nalle, by the supreme court of the District, upon her petition.

In this petition she states that said Gant died at her house, No. 217 Sixth street SE, in the city of Washington, on August 14, 1896; that she is his only child, and that she is the wife of Edward G. Nalle. It is also stated that said Gant left personal

effects of about \$200 in value, and that he owed a debt of \$2,100 to John E. Herrell.

Finetta Nalle, on December 10, 1896, leased the lots to John F Neill and Henry A. Herrill for five years from January 1, 1897.

The foregoing shows the condition of the title to said lots in so far as it is disclosed by the public records, and if Finetta Nalle is the only child and sole heir at law of said Thomas A. Gant, then such title as he had to the lots, which seems to have been a regular one as to Nos. 2, 3, 4, and 17 to 24, and a tax title as to Nos. 15 and 16, is vested in her, and the United States has no interest or concern whatever in them.

As the enactment of the Senate bill 3144 into a law could under such circumstances be of no possible advantage to Mrs. Nalle, I made inquiry as to the grounds upon which such legislation was asked, and was informed by Mr. John Ridout, her attorney, that he expected to establish to the satisfaction of the Senate Committee on the District, before whom the bill is pending, the following state of facts:

1. That Thomas A. Gant was the child of a white father and a colored mother, who are now both dead; that he was born in this District at a time when, under the law, the marriage relation could not exist between his parents.

2. That being born out of wedlock he could have no collateral heirs, and that if he died without lawful issue the estate acquired by him could not be inherited by anyone, and would escheat to the United States.

3. That Finetta Nalle is the child of the said Gant and of a colored woman (who is now Julia Green), and that, although her father and mother lived together as husband and wife for many years, there is no evidence that they were ever formally united in marriage.

4. That said Gant always recognized said Finetta as his daughter; that he had expressed his intention to leave his estate to her by will; that he obtained a blank for such will, which, but for his sudden death, would in all probability have been executed by him.

5. That said Finetta is the only child of said Gant, and acted toward him the part of a dutiful child.

6. That since her father's death she has been in the possession of the property and has paid all public dues upon it.

Mr. Ridout states that in view of the above facts he will ask for the passage of the bill on the ground of natural justice, in order that she may be freed from the technical incidents of a situation for which she is in no measure responsible.

HUGH T. TAGGART,
Assistant United States Attorney.

HENRY E. DAVIS, Esq.,
United States Attorney, District of Columbia.

FEBRUARY 16, 1898.

DEAR SIR: In the matter of the bill for the relief of Finetta Nalle, I beg to submit the following statement of facts:

More than thirty years ago one Thomas A. Gant acquired title to lots 2, 3, 4, and from 15 to 24, both inclusive, in square 1107, in the city of Washington, District of Columbia.

He at once entered into possession of the property, erected thereon the necessary buildings for a brickyard, and continuously thereafter operated such a yard upon those premises and adjacent lots until his death, which occurred about eighteen months ago.

Gant was always very prompt in the payment of his taxes, and was a good citizen who promptly discharged all his duties to the community.

He died intestate, leaving one child, a daughter, Mrs. Finetta Nalle.

Because of the want of formal record proof of the marriage of Gant the title to said real estate, according to the record, appears to have escheated to the United States.

It was Gant's intention to provide for his daughter by will, but this intention was frustrated by his sudden death.

The foregoing statements can be supported by affidavits of disinterested persons now in my possession.

In view of the foregoing I respectfully submit that for the United States to take advantage of the sudden death of Mr. Gant would be nothing less than absolute cruelty, unworthy of the Dark Ages.

The utmost precaution which it seems to me need be taken would be to add to the bill a provision that before it shall become operative all unpaid taxes and assessments to date, if any, shall be paid by Mrs. Nalle.

Yours, respectfully,

MR. S. T. THOMAS.

JNO. RIDOUT.

WASHINGTON, D. C., *March 10, 1898.*

DEAR SIR: In compliance with your letter, I beg to inclose the following affidavits in support of the bill for the relief of Finetta Nalle, to wit: Julia Green, Jane Hughes, Mary J. Wayne, W. H. Thomas, Charles F. Bruce, M. McCormick, John W. Green, Finetta Nalle, James Jones.

I shall be very glad to appear at any time convenient to the committee or the subcommittee and make any further explanation which may be deemed necessary.

Yours, respectfully,

JNO. RIDOUT.

Hon. JAMES McMILLAN,
Chairman of Senate Committee on the District of Columbia.

DISTRICT OF COLUMBIA, *to wit:*

I, Julia Green, on oath, say that I am 55 years of age, and have resided in the District of Columbia for fifty-five years. I am the mother of Finetta Nalle, who was born the 29th day of January, 1865.

The father of said Finetta Nalle was Thomas A. Gant, she was his only child, and always lived with him and was always recognized as his child by him.

Said Thomas A. Gant died unexpectedly before he had made a will, which he was about to do.

The said Thomas A. Gant's parents were a white man and a colored woman who were never married.

JULIA (her x mark) GREEN.

Witness: LOUISA GREEN.

Subscribed and sworn to before me this 15th day of February, 1898.

[SEAL.]

WHITEFIELD MCKINLAY,
Notary Public.

DISTRICT OF COLUMBIA, *to wit:*

I, Jane Hughes, on oath, say that I am 49 years of age. I have resided in the District of Columbia for twenty-five years. I was well acquainted with Thomas A. Gant and his daughter, Finetta Nalle, having for more than ten years been next-door neighbors.

Said Gant always spoke of and treated her as his daughter and her children as his grandchildren.

Said Gant and said Finetta Nalle have always been known as father and daughter.

JANE HUGHES.

Subscribed and sworn to before me this 24th day of January, A. D. 1898.

[SEAL.]

WHITEFIELD MCKINLAY,
Notary Public.

DISTRICT OF COLUMBIA, *to wit:*

I, Mary J. Wynne, on oath, say that I am 78 years of age. I have always resided in the District of Columbia.

I was well acquainted with Thomas A. Gant, deceased, having known him ever since he was 4 years of age.

I knew his mother very well. She was a colored woman, though of very light color. The father of said Thomas A. Gant was a white man.

Said Gant's mother was never married to his father.

That the identity of the father of said Gant was well known by all his acquaintances, as well as the fact that his parents were never married.

I have also known Finetta Nalle all her life; she is the daughter of Thomas A. Gant and Julia Green. The said Gant always recognized said Finetta Nalle as his daughter, and she lived with him and was always known as Finetta Gant until her marriage.

MARY J. (her x mark) WYNNE.

Witness: W. MCKINLAY.

Subscribed and sworn to before me this 24th day of January, A. D. 1898.

[SEAL.]

WHITEFIELD MCKINLAY,
Notary Public.

I hereby certify that I was in the employ of Thomas A. Gant at his brickyard, Nineteenth and C streets NE., for twenty-one years, and have always known him to be the owner of the ground and plant. I am also well acquainted with his daughter, Mrs. Finetta Nalle, having for a great many years to visit her house daily, and know that he has always spoken of her as his daughter and treated her as such. I am now employed at the yard by the firm who have a lease from Mrs. Finetta Nalle.

HILLERY THOMAS.

Subscribed and sworn to before me this 10th day of February, A. D. 1898.

[SEAL.]

WHITEFIELD MCKINLAY,
Notary Public.

DISTRICT OF COLUMBIA, *to wit*:

On this 31st day of January, 1898, before the undersigned, a notary public in and for the District of Columbia, personally appeared Charles F. Bruce, who, being first duly sworn according to law, deposes and says as follows:

My name is Charles F. Bruce; I am 49 years of age, and have resided in the District of Columbia for the past forty-nine years (from birth).

I have been acquainted with Thomas A. Gant for the past thirty years. For the twenty preceding his death I was his most intimate and confidential friend, having kept his accounts and attended to his confidential business to a very great extent. I am also well acquainted with his daughter, Mrs. Finetta Nalle, having known her from a child. I always understood from him that she was his only living relative, whom he always supported and cared for till her marriage, when she went to house-keeping, where he made his home.

He has told me a number of times that what property he had accumulated he intended to leave to his daughter and her children. I believe he has talked of his private life and affairs to me with far more freedom than with any other person. I have understood from him that his mother was a colored woman and his father a white man. I know from conversation shortly prior to his death that he was anxious to clear his property of all indebtedness, so that he might make a will in favor of his daughter, Mrs. Nalle, as she was the only person that could have any claim upon him. His sudden death, I am sure, is the only reason he died intestate.

Affiant further says that for the past thirty years he has known the real estate in the city of Washington, District of Columbia, described as original lots 2, 3, 4, and from 15 to 24, both inclusive, in square No. 1107, said lots being bounded by B and C streets NE. and by Nineteenth street.

Ever since I have known said lots they have been continuously occupied by said Thomas A. Gant up to the time of his death, and thereafter by his daughter, Mrs. Finetta Nalle, and their lessees, and have been used as a brickyard. The whole tract has thus been continuously used and occupied, the usual buildings, kilns, and machinery being erected and maintained thereon continuously, the whole surface of the property having been used for the purpose of obtaining clay for the manufacture of bricks, and the whole of said property having been inclosed by a substantial fence continuously maintained. The said property has always been thus held and occupied by said Gant, Finetta Nalle, and their lessees, with claim of absolute and exclusive ownership by said Gant during his lifetime, and afterwards by his said daughter, and such possession is now held by her by her tenants.

CHARLES F. BRUCE.

Subscribed and sworn to before me this 31st day of January, A. D. 1898.

[SEAL.]

WHITEFIELD MCKINLAY,
Notary Public.

DISTRICT OF COLUMBIA, *to wit*:

I, Michael McCormick, on oath, say I am 56 year of age. I have resided in the District of Columbia for thirty-nine years, and I have known Thomas A. Gant for thirty years, and his daughter, Mrs. Finetta Nalle, for twenty years.

The said Gant always recognized the said Finetta Nalle as his daughter. Said Gant had no other children.

It has always been understood that the father of said Gant was a white man; that his mother was a colored woman, and that said Gant's parents were never married.

M. MCCORMICK.

Subscribed and sworn to before me this 24th day of January, A. D. 1898.

[SEAL.]

WHITEFIELD MCKINLAY,
Notary Public.

DISTRICT OF COLUMBIA, *to wit:*

On this 9th day of February, 1898, before the undersigned, a notary public in and for the District of Columbia, personally appeared John W. Greene, who, being first duly sworn according to law, deposes and says as follows:

I am 59 years of age and have lived in the city of Washington, District of Columbia, for thirty-six years.

I have known Thomas A. Gant for more than thirty years, and have also known the real estate in the city of Washington, District of Columbia, described as original lots 2, 3, 4, and from 15 to 24, both inclusive, in square No. 1107, said lots being bounded by B and C streets NE. and by Nineteenth street.

Ever since I have known said lots they have been continuously occupied by said Thomas A. Gant up to the time of his death, and thereafter by his daughter, Mrs. Finetta Nalle, and their lessees, and have been used as a brickyard. The whole tract has thus been continuously used and occupied, the usual buildings, kilns, and machinery being erected and maintained thereon continuously, the whole surface of the property having been used for the purpose of obtaining clay for the manufacture of bricks, and the whole of said property having been inclosed by a substantial fence continuously maintained. The said property has always been thus held and occupied by said Gant, Finetta Nalle, and their lessees, with claim of absolute and exclusive ownership by said Gant during his lifetime, and afterwards by his said daughter, and such possession is now held by her by her tenants.

JOHN W. (his x mark) GREENE.

Witnesses:

SAMUEL GREENE.
W. MCKINLAY.

Subscribed and sworn to before me this 9th day of February, A. D. 1898.

[SEAL.]

WHITEFIELD MCKINLAY,
Notary Public

DISTRICT OF COLUMBIA, *to wit:*

Finetta Nalle, being duly sworn, says: I am 32 years of age and have resided in the city of Washington, District of Columbia, all my life. I am the daughter of Thomas A. Gant. From my earliest infancy I lived in his house with my mother, then named Julia Ward, and now named Julia Green.

Said Gant always treated me with great affection as his daughter and his only child.

I lived with him until my marriage, when he came to my husband's house to reside and remained there until he (said Gant) died.

As long as he lived he recognized and treated me as his only child and was most affectionate to me.

He frequently declared that he intended I should have all his property, and I am sure he would have made a will in my favor had not his unexpected death prevented it.

I have known the property described as original lots 2, 3, 4, and from 15 to 24, both inclusive, in square No. 1107, said lots being bounded by B and C streets NE. and by Nineteenth street.

Ever since I have known said lots they have been continuously occupied by said Thomas A. Gant up to the time of his death, and thereafter by me and our lessees, and have been used as a brickyard. The whole tract has thus been continuously used and occupied, the usual buildings, kilns, and machinery being erected and maintained thereon continuously, the whole surface of the property having been used for the purpose of obtaining clay for the manufacture of bricks, and the whole of said property having been inclosed by a substantial fence, continuously maintained. The said property has always been thus held and occupied by said Gant, Finetta Nalle, and their lessees, with claim of absolute and exclusive ownership by said Gant during his lifetime and afterwards by me, his said daughter, and such possession is now held by me by my tenants.

FINETTA NALLE.

Subscribed and sworn to before me this 15th day of February, A. D. 1898.

[SEAL.]

WHITEFIELD MCKINLAY,
Notary Public.

DISTRICT OF COLUMBIA, *to wit:*

On this 9th day of February, 1898, personally appeared before me James Jones, who, being first duly sworn according to law, says:

I am about 75 years of age. I have resided in the District of Columbia for the past seventy-three years. I was acquainted with Thomas A. Gant for about forty

years. About thirty years ago said Gant, Henry Thomas, and myself purchased lots Nos. 2, 3, 4, and 15 to 24, both inclusive, in square 1107, in the city of Washington, District of Columbia, and about twenty years ago said Thomas and myself sold our interest in said land to said Gant. At the date of the purchase of said lots we took possession of them and commenced to use them as a brickyard, and we so occupied them until sale to said Gant, who continuously occupied them, up to the time of his death, as a brickyard. Since his death his daughter, Mrs. Finetta Nalle, and her lessees have continuously used and occupied the said land for the same purpose.

The whole tract has thus been continuously used and occupied, the usual buildings, kilns, and machinery being erected and maintained thereon continuously, the whole surface of the property having been used for the purpose of obtaining clay for the manufacture of bricks, and the whole of said property having been inclosed by a substantial fence continuously maintained. The said property has always been thus held and occupied by said Gant, Finetta Nalle, and their lessees, with claim of absolute and exclusive ownership by said Gant during his lifetime, and afterwards by his said daughter, and such possession is now held by her by her tenants.

I have also known said Finetta Nalle since her birth, and know that said Gant reared and educated her, and to everybody has said she was his daughter and he wanted her and her children to have whatever he possessed at his death.

I have resided at the corner of Nineteenth and C streets NE., Washington, D. C., for the past eighteen to twenty years.

JAMES (his x mark) JONES.

Witnesses:

ANNIE LAWRENCE.

W. MCKINLAY.

Subscribed and sworn to before me this 9th day of February, A. D. 1898.

[SEAL.]

WHITEFIELD MCKINLAY,
Notary Public.

Upon the facts stated, your committee find that the title to this property has escheated to the United States, and that in order to secure to the said Finetta Nalle her rights and the relinquishment on the part of the United States of all right and title to said property this act must pass.

All taxes on the property have been paid, and the beneficiary is a very respectable person and unquestionably entitled to the relief asked for.